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Carbon SAFE Meeting
Lawrence, Kansas
February 14, 2017

The Clean Power Plan

- EPA rule regulating carbon dioxide emissions from existing power plants
 - Promulgated June 2, 2014
 - Finalized August 3, 2015
- Reductions based on three “building blocks”
 - Improved efficiencies at power plants
 - Shift from steam EGUs to NGCC gas turbines
 - Shift generation to clean energy renewables
- Kansas goal is a reduction to 1,293 lbs/Net MWh in 2030
 - Based on 2012 rate of 2,319 lbs/Net MWh
- Federal Plan imposed if State fails to submit plan or plan does not meet federal requirements
- States file suit in October 2015

Legal Timelines

- **February 9, 2016** - Supreme Court issues “stay” of EPA’s CPP pending disposition of petitions for review in DC Circuit
 - “Stay” will remain in effect until the D.C. Circuit resolves legal challenges and either the Supreme Court decides not to review the D.C. Circuit decision or the Supreme Court issues its own opinion
- **D.C. Circuit moves to hold hearing “en banc”**
 - En banc hearing is with all available circuit judges
 - Normally an appeal right to have en banc hearing but used here to expedite proceedings
- **September 27, 2016** - Ten judges hold en banc hearing

Thank you

Questions?